

**Notice of Allowability**

Application No.

09/846,054

Examiner

Mark Blouin

Applicant(s)

GUSTAFSON ET AL.

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 4/11/05.
2. ☒ The allowed claim(s) is/are 1,6-9,31,36-39, and 63 (renumbered as 1-11).
3. ☒ The drawings filed on 30 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**ANGEL CASTRO**  
**PRIMARY EXAMINER**

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**Detailed Action**

***Response to Amendment***

- The response filed on April 11, 2005 was applied to the following effect: Claims 1 and 31 have been amended, and Claims 2-5,10-30, 32-35, and 40-62 were cancelled.

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Alan Young (650) 851-7210 on April 11, 2005.

The application has been amended as follows:

- In Claim 1, line 13 the word "one-piece" should be inserted prior to "rotary hub".
- In Claim 1, lines 13-14 the phrase "unitary and integral" should be deleted.
- In Claim 31, line 20 the word "one-piece" should be inserted prior to "rotary hub".
- In Claim 31, lines 21-22 the phrase "unitary and integral" should be deleted.
- Claims 2-5,10-30, 32-35, and 40-62 should be cancelled.

***Reasons for Allowance***

2. Claims 1,6-9,31,36-39, and 63 (renumbered as 1-11) are allowed.
3. The following is an examiner's statement of reasons for allowance:

This application is for a spindle motor.

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- **Claims 1 and 31** specify a spindle motor, which requires:

“... and *a one-piece rotary hub* surrounding the shaft, the *one-piece rotary hub* defining a hub extension that is disposed between the first and second bearings and that extends away from the rotary hub toward the longitudinal axis ...”

These features, in combination with the other features of Claims 1 and 31, are not anticipated by, nor made obvious over, the prior art of record.

- **Claim 63** specifies a spindle motor, which requires:

“... the hub defining a hub extension configured to exert a pre-load force *only* on the first inner race, the pre-loading force being *directed toward the second inner race*...”

These features, in combination with the other features of Claim 63, are not anticipated by, nor made obvious over, the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.


If attempts to reach the examiner by telephone are unsuccessful the examiner’s supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

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Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Mark Blouin  
Patent Examiner  
Art Unit 2653  
April 14, 2005

  
**ANGEL CASTRO**  
**PRIMARY EXAMINER**